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Counsel for Defendant Meta Platforms, Inc.
(formerly known as Facebook, Inc.)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DZ RESERVE, and CAIN MAXWELL (d/b/a
MAX MARTIALIS), individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

META PLATFORMS, INC.,

Defendant.

Case No. 3:18-cv-04978 JD

**DECLARATION OF NICOLE C.
VALCO IN SUPPORT OF MOTION TO
ENFORCE CLASS COUNSEL'S
ETHICAL OBLIGATIONS**

Date: November 6, 2025

Time: 10:00 a.m.

Court: Courtroom 11 - 19th Floor

Judge: Hon. James Donato

1 I, Nicole C. Valco, hereby declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California. I am a
3 partner with the law firm of Latham & Watkins LLP, counsel of record for Defendant Meta
4 Platforms, Inc. (“Meta”) in the above-captioned matter. I am licensed to practice law in the State
5 of California and am admitted to practice before this Court. I have personal knowledge of the facts
6 set forth below and, if called as a witness in a court of law, could and would testify competently
7 thereto.

8 2. I submit this declaration in support of Meta’s Motion to Enforce Class Counsel’s
9 Ethical Obligations (“Motion to Enforce”).

10 3. On August 20, 2025, Meta sent its trial witness list to Plaintiffs indicating that it
11 intended to call as witnesses individuals who had previously submitted declarations (the
12 “Declarants”) in support of Meta at class certification.

13 4. On September 22, 2025, Meta transmitted letters addressed to Declarants Josh
14 Flanders and Adam Hampton to Class Counsel, requesting that Class Counsel either provide
15 permission to Meta to speak with these individuals directly or forward the letters to the Declarants.
16 The letters informed the Declarants of the upcoming trial in this matter and asked them to consider
17 sharing their views at trial.

18 5. On September 23, 2025, Meta transmitted similar letters addressed to Declarants
19 Sarah Lowe, Wendy Pettys, and Lamesha Davis, requesting the same.

20 6. On September 26, 2025, Class Counsel responded, refusing to transmit the letters.

21 7. On October 1, 2025, Meta sent another similar letter addressed to declarant Renee
22 Ventrice, again requesting that Class Counsel share the letter with her.

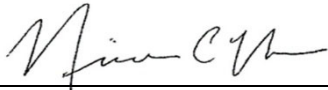
23 8. To date, Class Counsel has refused to confirm that it notified the Declarants that
24 they are on Meta’s trial witness list, to share the letters with the Declarants, or to otherwise permit
25 Meta’s counsel to contact the Declarants directly.

26 9. In the same email on October 1, Meta also notified Class Counsel of its intent to
27 file a motion concerning Class Counsel’s refusal to inform these class members that they appear
28 on Meta’s witness list or to share Meta’s requests to speak with them, and asked whether Plaintiffs

1 would stipulate to a briefing schedule. As of this filing, Class Counsel has not responded.

2 10. A true and correct copy of the above-described communications is attached hereto
3 as Exhibit A.

4 I declare under penalty of perjury under the laws of the United States that the foregoing is
5 true and correct, and that this Declaration was executed on October 2, 2025, in San Francisco,
6 California.

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Nicole C. Valco